

Application No: 10/808,365
Attorney's Docket No: ALC 3121

REMARKS/ARGUMENTS

Claims 1-21 are pending. Claims 1, 14 and 16 are independent. Claims 1, 5, 7, 11, 13, 14 and 16 are amended. The amendment to claim 14 consists of rewriting the claim in independent form.

In section 1 on page 2, the Office Action objects to claims 5, 7, 11 and 13 because of the specified informalities. Claims 5, 7, 11 and 13 are amended to clarify the recitations objected to by the Office Action. It is respectfully submitted that all of the recitations are clear in claims 5, 7, 11 and 13. Therefore, Applicant respectfully requests that the objection to claims 5, 7, 11 and 13 be withdrawn.

In section 3 on pages 2-8, the Office Action rejects claims 1, 3, 5, 6, 9, 11, 12 and 14-19 under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 7,266,124 to Kim et al. (hereinafter "Kim"). This rejection is respectfully traversed for at least the following reasons.

Claim 1, from which claims 3; 5, 6, 9, 11 and 12 depend, recites, "removing a PE communications network node from the group." Claim 16, from which claims 17-19 depend, contains a similar recitation. The subject matter quoted above is incorporated into claims 1 and 16 from allowable claims 7 and 13.

In section 8 on page 15, the Office Action indicates that claims 7 and 13 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. However, the Office Action does not include a statement of reasons for allowance with respect to claims 7 and 13. Accordingly, if any of the rejections in the Office

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Action are maintained in a subsequent Office Action, Applicant respectfully requests that the subsequent Office Action include a statement for the Reasons for Allowability of claims 7 and 13.

Claim 14, from which claim 15 depends, recites, "ascribing an identifier to one of: a transport mesh of LSPs, and a signaling mesh of targeted LDP sessions" (emphasis added). In contrast, Kim discloses a format of a label mapping-request message to set up the bi-directional tunnel. See column 8, lines 24-45. Kim does not disclose, teach or suggest ascribing an identifier to a transport mesh of LSPs or signaling mesh of targeted LDP sessions, as recited in claim 14.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1, 3, 5, 6, 9, 11, 12 and 14-19 as allegedly being anticipated by Kim be withdrawn.

In section 7 on pages 9-14, the Office Action rejects claims 2, 4, 8, 10, 20 and 21 under 35 U.S.C. §103(a) as allegedly being unpatentable over Kim in view of U.S. Patent Publication No. 2003/177221 to Ould-Brahim et al. (hereinafter "Ould"). This rejection is respectfully traversed for at least the following reasons.

Claims 2, 4, 8 and 10 are allowable based at least on their dependence from claim 1 for at least the reasons stated above in connection with the rejection of claim 1. Similarly, claims 20 and 21 are allowable based at least on their dependence from claim 16 for at least the reasons stated above in connection with the rejection of claim 16.

Ould fails to overcome the deficiencies in Kim described above in connection with the rejection of claims 1 and 16.

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For at least the foregoing reasons, it is respectfully requested that the rejection of claims 2, 4, 8, 10, 20 and 21 as allegedly being unpatentable over Kim in view of Ould be withdrawn.

CONCLUSION

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
KRAMER & AMADO, P.C.


Terry W. Kramer

Registration No.: 41,541

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KRAMER & AMADO, P.C.
1725 Duke Street, Suite 240
Alexandria, VA 22314
Phone: 703-519-9801
Fax: 703-519-9802